

Assembly Joint Resolution

No. 85

**Introduced by Assembly Members Leno, Goldberg, Kehoe, and
Laird**

(Principal coauthor: Senator Kuehl)

**(Coauthors: Assembly Members Berg, Calderon, Canciamilla,
Chan, Chavez, Chu, Cohn, Corbett, Diaz, Dutra, Dymally,
Firebaugh, Frommer, Hancock, Jerome Horton, Jackson,
Koretz, Levine, Lieber, Liu, Longville, Lowenthal, Montanez,
Mullin, Nakano, Nation, Nunez, Oropeza, Pavley, Reyes,
Ridley-Thomas, Simitian, Steinberg, Vargas, Wiggins, Wolk,
and Yee)**

(Coauthors: Senators Figueroa, Romero, Sher, and Vasconcellos)

May 17, 2004

Assembly Joint Resolution No. 85—Relative to same-sex couples.

LEGISLATIVE COUNSEL'S DIGEST

AJR 85, as introduced, Leno. Same-sex couples.

This measure would respectfully oppose any federal enactment designed to prohibit or restrict state legislatures or state courts from providing rights and obligations under the law for same-sex couples and their families.

Fiscal committee: no.

- 1 WHEREAS, All individuals and families are entitled to equal
- 2 dignity, liberty, and equal protection under the law; and
- 3 WHEREAS, The most recent data from the United States
- 4 Census Bureau shows that same-sex couples and their families

1 reside in all counties in this state and include more than 92,000
2 couples statewide; and

3 WHEREAS, Many same-sex couples in this state form
4 committed relationships, share their lives together, participate in
5 their communities together, and raise children and care for other
6 dependent family members together; and

7 WHEREAS, Alleviating discrimination against these families
8 furthers the state's interest in supporting stable family
9 relationships, promoting personal and fiscal responsibility, and
10 encouraging parents, rather than the state, to provide financial
11 support for children; and

12 WHEREAS, Historically, the states, rather than the federal
13 government, have assumed primary responsibility for establishing
14 family policy; and

15 WHEREAS, A measure to amend the federal Constitution to
16 prevent the states from alleviating discrimination against
17 same-sex couples and their families has been introduced in the
18 United States Congress; and

19 WHEREAS, This proposed measure would represent the first
20 use of the constitutional amendment process in our nation's history
21 to single out a group of Americans for discrimination; now,
22 therefore, be it

23 *Resolved by the Assembly and Senate of the State of California,*
24 *jointly,* That the Legislature of the State of California respectfully
25 opposes any federal enactment designed to prohibit or restrict state
26 legislatures or state courts from providing rights and obligations
27 under the law for same-sex couples and their families; and be it
28 further

29 *Resolved,* That the Chief Clerk of the Assembly transmit copies
30 of this resolution to the President of the United States, to each
31 Senator and Representative in the Congress of the United States,
32 and to the presiding officer of each house of each state legislature
33 of the several states.

